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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/642,488   | 08/18/2003  | Yoshihiro Ueda       | 31869-191367        | 1907             |
| 26694  | 7590        | 10/29/2004           | EXAMINER            |                  |
| VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP<br>P.O. BOX 34385<br>WASHINGTON, DC 20043-9998 |             |                      | COUSO, JOSE L       |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2621                |                  |

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/642,488 | <b>Applicant(s)</b><br>UEDA, YOSHIHIRO |  |
|                              | <b>Examiner</b><br>Jose L. Couso     | <b>Art Unit</b><br>2621                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 19-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/310,961.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/13/03</u> . | 6) <input type="checkbox"/> Other: _____  |

1. Claims 19-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent claim 19, lines 4-5 recites "second information specifying rules for converting discrete context information to simplified contest information", "contest information" in the context of the claim is vague and indefinite. It appears that this is a misspelling and should read "context information".

Dependent claim 20, lines 1-2 recites "shape information order comprising the context generator of claim 19", "a shape information order" in the context of the claim is vague and indefinite. It appears that this is a misspelling and should read "a shape information coder".

Claims 20-21 depend from an indefinite claim.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

**(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.**

3. Claims 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Hirabayashi (U.S. Patent No. 6,014,463).

In regard to claim 19, Hirabayashi describes a reference pixel position and context simplification memory (see figure 1A, elements 1 and 4, and refer for example to column 2, lines 34-51) storing first information specifying positions of reference pixels

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(see for example figure 1A, element 1 and refer for example to column 2, line 66 through column 3, line 4, the line buffer stores the actual pixel values as well as the corresponding positions), and second information specifying rules for converting discrete context information to simplified context information (refer for example to column 3, lines 16-29 and column 3, line 61 through column 4, line 28, the latter cited portion goes describes in detail the specifying rules for converting the context information to simplified context information); a reference pixel generator coupled to said reference pixel position and context simplification memory, generating said discrete context information by obtaining values of the reference pixels in the positions specified by said first information (see figure 1A, element 3, and refer for example to column 3, lines 5-15); and context converter coupled to said reference pixel generator, converting said discrete context information to said simplified context information according to said second information, said simplified context information having fewer states than said discrete context information (see figure 1A, element 5, and refer for example to column 4, lines 34-43). The examiner considers Hirabayashi's prediction results store in line buffer (element 3 of figure 1A) to be applicant's discrete context information, and the prediction value outputted from predictor (element 5 of figure 1A) in accordance with the index to be applicant's simplified context information.

As to claim 20, Hirabayashi describes a shape information coder comprising the context generator of claim 19 (see figure 1A, ENCODE DEVICE).

In regard to claim 21, Hirabayashi describes a shape information decoder comprising the context generator of claim 19 (see figure 1B, DECODE DEVICE).

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kato et al., Kang, Eifrig et al. and Cho et al. all disclose systems similar to applicant's claimed invention.

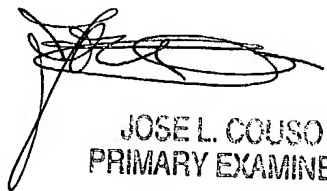
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jose L. Couso whose telephone number is (703) 305-4774. The examiner can normally be reached on Monday through Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached on (703) 305-4706. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8576.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jlc  
October 14, 2004



JOSE L. COUSO  
PRIMARY EXAMINER